

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Criminal Justice Committee

BILL: SB 654

INTRODUCER: Senator Dean

SUBJECT: Juvenile Justice

DATE: April 7, 2009

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Dugger	Cannon	CJ	Unfavorable
2.	_____	_____	JU	_____
3.	_____	_____	JA	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Senate Bill 654 amends several juvenile justice laws involving primarily the detention of children, as follows:

- Permits the court to retain jurisdiction over a child older than 18 and the child’s parents or guardians until all costs, fees, and costs associated with court-appointed counsel have been satisfied.
- Permits a child to be taken into custody for violating the conditions of preadjudicatory release set by the court.
- Permits the detention of a child that absconds from home or nonsecure detention care or otherwise violates the terms of release while awaiting placement in a residential facility, commits a new law violation, or intentionally fails to appear for trial.
- Requires that a child be placed in secure detention care upon intake if alleged to have absconded from home or nonsecure detention or otherwise violates the terms of postadjudication release.
- Provides that the preadjudication and postadjudication time limits for holding a child in detention care do not apply to a child held in secure detention for absconding from home or nonsecure detention, committing a new law violation, or otherwise violating the terms of release after adjudication while awaiting placement in a residential facility; escaping or absconding from certain residential, probation, or other programs; being charged with certain acts specified in current law; or intentionally failing to make a court appearance.
- Increases the length of time a child awaiting placement in a low or moderate risk residential program can be held in secure detention care.

- Provides that the only detention option for a child committed to a high risk or maximum risk residential program is secure detention.
- Makes the court primarily responsible for determining the appropriate restrictiveness level for a child committed to a residential program.
- Provides counties with the option to levy a mandatory court cost of up to \$50 to fund local juvenile crime initiatives.

This bill substantially amends the following sections of the Florida Statutes: 985.0301, 985.101, 985.24, 985.245, 985.25, 985.255, 985.26, 985.265, 985.27, 985.35, 985.43, 985.433, 985.439, and 790.22. It also creates sections 985.031 and 985.28.

II. Present Situation:

The Legislature has defined “detention care”¹ to mean “the temporary care of a child in secure, nonsecure, or home detention, pending a court adjudication or disposition or execution of a court order.”² There are three types of detention care, as follows:

- “Secure detention” means temporary custody of the child while the child is under the physical restriction of a detention center or facility pending adjudication, disposition, or placement.
- “Nonsecure detention” means temporary custody of the child while the child is in a residential home in the community in a physically nonrestrictive environment under the supervision of the Department of Juvenile Justice (DJJ) pending adjudication, disposition, or placement.
- “Home detention” means temporary custody of the child while the child is released to the custody of the parent, guardian, or custodian in a physically nonrestrictive environment under the supervision of the DJJ staff pending adjudication, disposition, or placement. (For FY 2006-07, the average daily population on home detention was 1,744 children.³)

Most children are not placed on detention care prior to adjudication, but are released to a parent or guardian.⁴ The state and the counties, other than the fiscally constrained counties⁵ in certain circumstances, jointly fund detention care.⁶ In this context, “detention care” has been defined as limited to “secure detention.”

Specifically, counties are required to pay for predisposition secure detention costs. The state pays for postdisposition secure detention costs. The counties’ share of the overall cost of secure detention includes the number of predisposition children in detention centers multiplied by their

¹ Statutory references to “detention” do not include postcommitment residential facilities even though being committed to a residential facility is a form of “detention.”

² Section 985.03(18), F.S.

³ 2006-07 Comprehensive Accountability Report, Florida Department of Juvenile Justice, p. 73.

⁴ According to the Department of Juvenile Justice, for FY 2006-07, approximately 109,000 of the 146,000 referrals were releases. These included some youth charged with felonies.

⁵ “Fiscally constrained county” means “a county within a rural area of critical economic concern as designated by the Governor pursuant to s. 288.0656 or each county for which the value of a mill will raise no more than \$5 million in revenue, based on the certified school taxable value certified pursuant to s. 1011.62(4)(a)1.a., from the previous July 1.”

Section 985.656(2)(b), F.S.

⁶ Section 985.686, F.S.

length of stay. As the percentage of predisposition children and/or number of days increases, the counties' share of detention costs also increases.

LIABILITY FOR FEES AND COSTS

Currently, parents or legal guardians of a minor child are liable for the payment of fees, charges, and costs of representation by court-appointed counsel.⁷ Liability is imposed in the form of a lien against the property of the parents or legal guardians. If the court finds that the child or parent is not in contempt for failure to pay attorney's fees or costs, the court can allow additional time for payment, or reduce or revoke the assessed fees or costs.⁸ The child or parents that are not in willful default may petition the court to defer payment of all or part of the attorney's fees or costs.⁹

If a child is placed in detention care, detention fees are charged to the parent of the child for cost of care at a rate of \$1 per day for home detention, probation, or other supervision; and \$5 per day when placed in secure detention or otherwise in the custody of the DJJ. The court must waive or reduce fees upon a finding of indigence and significant financial hardship. Fees can be directed to the child in lieu of the parent if the child reaches 18 prior to the detention or disposition hearing in which fees are imposed. For the parent or child to be liable for these fees, the child must be adjudicated, had adjudication withheld, or violated a court order.¹⁰

PRE-ADJUDICATORY RELEASE

Current law permits a law enforcement officer to take a child into custody in four circumstances:

- pursuant to a custody order issued by a circuit judge,¹¹
- for a delinquent act or violation of law,
- for failing to appear at a court hearing after being properly noticed, or
- when there is probable cause to believe the child has violated the conditions of probation, home detention, postcommitment probation or conditional release supervision, or has absconded or escaped from residential commitment.¹²

Intake

Currently, the juvenile probation officer receives custody of a child who has been taken into custody by law enforcement and is required to review the facts in the law enforcement report or probable cause affidavit and make further inquiry as may be necessary to determine whether detention care is required.¹³ From the time the child is taken into custody to the time the detention hearing is held, the initial placement decision is made by the juvenile probation officer.¹⁴ The juvenile probation officer must base any decision to detain the child on an

⁷ Section 27.52(6), F.S.

⁸ Section 27.561(3), F.S.

⁹ Section 938.29(3), F.S.

¹⁰ Section 985.039(1), F.S. See also, s. 985.0395, F.S. The Legislature has approved a pilot program in the 4th and 11th Judicial Circuits, allowing the court to waive cost of care fees required to be paid by the parent for successful completion of a parenting class.

¹¹ A custody order is the juvenile equivalent of an arrest warrant.

¹² Section 985.101(1)(d), F.S.

¹³ Section 985.25(1), F.S.

¹⁴ Section 985.245(1), F.S.

assessment of risk using the risk assessment instrument developed by the DJJ under s. 985.245, F.S.¹⁵ A child must be placed into secure detention if the child is charged with possessing or discharging a firearm on school property.¹⁶

Continued Detention

Under certain circumstances, a court may continue to detain a child taken into custody and placed in home, nonsecure, or secure detention care prior to the detention hearing.¹⁷ These circumstances include when the child is:

- an escapee from a residential treatment program;
- wanted in another jurisdiction for a felony;
- charged with a delinquent act and seeks protection from imminent bodily harm;
- charged with domestic violence;
- charged with possession and discharge of a firearm on school grounds;
- charged with a capital felony, life felony, first degree felony, second or third degree felony under certain circumstances;
- alleged to have violated probation or conditional release supervision; or
- detained for failure to appear when the child has previously willfully failed to appear for a hearing on the same case.

Secure Detention Care Authorized for Failure to Appear for Trial

All determinations and court orders regarding the use of secure, nonsecure, or home detention care must be based primarily upon findings (relevant to failure to appear) that the child presents a substantial risk of not appearing at a subsequent hearing; or has committed contempt of court by intentionally disrupting the administration of the court or intentionally disobeying a court order.¹⁸ Determinations and orders placing a child in detention care must be based on a risk assessment.¹⁹ The risk assessment instrument must take into consideration any prior history of failure to appear.

A child taken into custody and placed into nonsecure, home detention, or secure detention care prior to a detention hearing may continue to be detained by the court if the child is charged with any second or third degree felony involving a violation of ch. 893, F.S. (i.e., illegal drugs), or any third degree felony that is not also a crime of violence; and the child has a record of failure to appear at court hearings after being properly notified in accordance with the Rules of Juvenile Procedure.

Secure Detention Care Permitted for Violation of Probation

Current law provides that when a child is taken into custody for a violation of probation, the child must be placed in a consequence unit, if available. A consequence unit is a secure facility specifically designated by the DJJ for children who are taken into custody for a violation of probation. Current law does not contain specific alternatives to placement in a consequence unit.

¹⁵ Section 985.25(1)(b), F.S.

¹⁶ Id.

¹⁷ Section 985.255(1), F.S.

¹⁸ Section 985.24(1), F.S.

¹⁹ Section 985.245(2)(b), F.S.

LENGTH OF DETENTION

Current law provides a child may not be held in secure, nonsecure, or home detention care under a special detention order for more than 21 days unless an adjudicatory hearing for the case has been commenced in good faith by the court.²⁰ However, upon good cause being shown that the nature of the charge requires additional time for the prosecution or defense of the case, the court may extend the length of detention for an additional nine days if the child is charged with an offense that would be, if committed by an adult, a capital felony, a life felony, a felony of the first degree, or a felony of the second degree involving violence against any individual.²¹ The time limits do not include periods of delay resulting from a continuance granted by the court for cause on motion of the child, the child's counsel, or the state. If the court grants a motion for continuance, the court must conduct a hearing at the end of each 72-hour period, excluding Saturdays, Sundays, and legal holidays, to determine the need for continued detention of the child and the need for further continuance of the proceedings.²²

DETENTION FROM DISPOSITION TO PLACEMENT

Currently, there are different time frames for holding a child in detention between adjudication in which a residential commitment is ordered and placement in the residential program. If awaiting placement into a residential program:

- In a low-risk residential program, the child must be removed from detention care within five days, excluding Saturdays, Sundays, and legal holidays.²³ A child placed in home detention, nonsecure detention, or home or nonsecure detention care with electronic monitoring, may be held in secure detention care for an additional five days if the child violates the conditions of the home detention or the nonsecure detention care, or the electronic monitoring agreement.²⁴ For any subsequent violation, the court may impose an additional five days in secure detention care.²⁵
- In a moderate-risk program, the child must be removed from detention care within five days, excluding Saturdays, Sundays, and legal holidays.²⁶ The court may order additional time in detention, not to exceed 15 days from the commitment order.²⁷ A child placed in home detention, nonsecure detention, or home or nonsecure detention care with electronic monitoring may be held in secure detention care for five days if the child violates the conditions of the home detention or nonsecure detention care, or the electronic monitoring agreement.²⁸ For any subsequent violation, the court may impose an additional five days in secure detention care.²⁹
- In a high or maximum-risk program, the child must be held in detention until placed, but detention care may be home, nonsecure, or secure.

²⁰ Section 985.26(2) and (4), F.S.

²¹ Id.

²² Id.

²³ Section 985.27(1)(a), F.S.

²⁴ Id.

²⁵ Id.

²⁶ Section 985.27(1)(b), F.S.

²⁷ Id.

²⁸ Id.

²⁹ Id.

JUDICIAL ROLE IN RESIDENTIAL PLACEMENT DECISIONS

Currently, if the court determines that the child should be adjudicated as having committed a delinquent act and should be committed to the DJJ, such determination must be in writing or on the record of the hearing.³⁰ The determination must include a specific finding of the reasons for the decision to adjudicate the child delinquent and to commit the child to the DJJ. The juvenile probation officer then recommends the most appropriate placement and treatment plan, specifically identifying the restrictiveness level most appropriate for the child. The court must consider the juvenile probation officer's recommendation in making its commitment decision. The court may commit the child to the DJJ at the restrictiveness level identified by the juvenile placement officer, or may order placement at a different restrictiveness level. If the court orders placement at a restrictiveness level that is different from the recommendation of the juvenile probation officer, the court must make a special finding establishing its reasons for disregarding the recommendation by a preponderance of the evidence. Any party may appeal the court's findings resulting in a modified level of restrictiveness.

On January 30, 2009, the Supreme Court of Florida clarified the reason the court must provide if the court decides to commit the child to a restrictiveness level different from that recommended by the juvenile probation officer.³¹ The Supreme Court held that the court must:

“...articulate an understanding of the respective characteristics of the opposing restrictiveness levels...” and “explain logically and persuasively why, in light of these differing characteristics, one level is better suited to serving the rehabilitative needs of the juvenile...and the ability of the State to protect the public.”³²

The Court held that reasons unconnected to the above analysis cannot be used to explain why one restrictiveness level is more appropriate than another.³³

III. Effect of Proposed Changes:

This bill proposes numerous changes to state policy concerning the use and length of detention for juveniles. It covers all phases of the process, from custody and initial intake to adjudication, and to disposition through postcommitment placement.

LIABILITY FOR FEES AND COSTS

The bill permits the court to retain jurisdiction over a child after the child turns 19 and also over the child's parents or guardians until all costs, fees, and costs associated with court appointed counsel have been satisfied, regardless of adjudication. The retention of jurisdiction does not preclude the DJJ from closing the community supervision case if all other conditions have been satisfied.

³⁰ Section 985.433(7), F.S.

³¹ *E.A.R. v. State*, No. SC08-506 (Fla. January 30, 2009).

³² *Id.*

³³ *Id.*

PRE-ADJUDICATORY RELEASE

The bill permits a law enforcement officer to take a child into custody when the child on release, without any form of detention care, violates the conditions of preadjudicatory release. The bill gives the court the authority to impose conditions for preadjudicatory release such as requiring the child to obey all laws, not possess or carry a weapon, abstain from using alcoholic beverages or illegal drugs, and attend school.

USE OF DETENTION**Factors Affecting Detention**

The bill adds another factor the court may use in determining whether the child should be placed on secure, nonsecure, or home detention care. The factor is that the child has been adjudicated delinquent and committed to a residential facility, but while on home or nonsecure detention care awaiting placement, the child:

- absconds (allegedly) from home or nonsecure detention care,
- violates the terms of postadjudication release, or
- commits a new law violation.

Intake

The bill adds additional circumstances that require the child to be placed in secure detention after the child is taken into custody. The bill requires a child be placed in secure detention care upon intake if the child has been adjudicated delinquent, is awaiting placement in a residential commitment facility while in home or nonsecure detention care, and the child:

- absconds (allegedly) from home or nonsecure detention care,
- violates the terms of post-adjudication release, or
- commits a new law violation.

Continued Detention

The bill provides two additional circumstances in which the court may continue to detain a child who is taken into custody prior to the detention hearing as follows:

- while awaiting placement to a residential facility, the child is alleged to have absconded from home or nonsecure detention care or otherwise violates the terms of release after adjudication; or
- while awaiting placement in a residential facility, there is probable cause to believe the child has committed a new violation of law while on home or nonsecure detention care after adjudication.

Secure Detention Care Authorized for Failure to Appear for Trial

The bill permits the court to have the child held in secure detention care until the conclusion of the adjudicatory hearing if the child fails to appear in court, runs away, or otherwise intentionally avoids a court appearance. The bill provides the court may commit the child to secure detention care regardless of the results of the risk assessment instrument. The bill also permits the court to hold the parent or legal guardian in contempt of court for knowingly and willfully failing to bring or otherwise preventing the child from appearing for trial.

Secure Detention Care Permitted for Violation of Probation

The bill also permits a child to be held in secure detention if the child is taken into custody for a violation of probation and a consequence unit is not available.

LENGTH OF DETENTION

The bill provides that the preadjudication and postadjudication time limits for holding a child in detention care do not apply to a child held in secure detention for absconding from home or nonsecure detention, committing a new law violation, or otherwise violating the terms of release after adjudication while awaiting placement in a residential facility; escaping or absconding from certain residential, probation, or other programs; or being charged with certain acts specified in current law; or intentionally failing to make a court appearance.

The bill increases the length of time a child awaiting placement in a low or minimum risk residential program can be held in secure detention care following commitment at disposition. For a child awaiting placement in a low risk program, the bill provides the child can be held in secure detention for 15 additional days for a second or subsequent violation of the conditions of home or nonsecure detention care, the terms of any release, or the conditions of any electronic monitoring agreement.

For a child awaiting placement in a moderate risk program, the bill provides the child can be held in secure detention for 15 days. The child is required to be held in secure detention if the child is alleged to have absconded from home or nonsecure detention care, violated the terms of release or electronic monitoring, or probable cause exists that the child committed a new law violation.

It also requires that the detention options of a child committed to a high risk or maximum risk residential program be limited to secure detention care.

JUDICIAL ROLE IN RESIDENTIAL PLACEMENT DECISIONS

The bill includes the legislative finding that the court is in the best position to determine whether or not to commit a child to the DJJ and determine the most appropriate restrictiveness level. The bill also gives the court primary authority to determine the appropriate restrictiveness level for secure residential placement. As a result, the bill changes the juvenile probation officer's role into an advisory position.³⁴ Specifically, it eliminates the requirement that the court make a specific finding by a preponderance of the evidence in order to have a child placed at a restrictiveness level different than that recommended by the juvenile probation officer.

³⁴ In practice, this provision may produce a different result in a very limited number of cases. In an effort to examine judicial satisfaction with DJJ recommended restrictiveness levels, House staff recently asked the DJJ to identify, over the last three years, the percentage of cases in which judges agreed with the restrictiveness level recommended by the department commitment manager. This data indicated that judges agreed with the recommendations of the DJJ commitment managers in the overwhelming majority of cases, on average approximately 85 percent. However, there were several circuits, the 1st, 3rd, 8th and 17th, that had consistently and substantially lower rates of agreement. All but one of these circuits are in the North Region of the DJJ. *Data provided to House Juvenile Justice Staff by the DJJ, October 2007.*

COURT COST FOR COUNTIES FOR JUVENILE CRIME NEEDS

The bill provides counties with the option to levy a mandatory court cost of up to \$50. Proceeds from this court cost can only be used to fund local juvenile crime prevention programs, the creation of consequence or suspension centers, and “other such areas of local concern relating to juvenile crime.” The board of county commissioners in each county have the option to levy the additional fee.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Several sections of the bill proposing changes to state policy involving predisposition detention (when it can be used and the length of detention) could have the effect of requiring counties to expend funds. As a result, the requirements of Article VII, Section 18(a) of the Florida Constitution may apply. This would include the requirement that the bill be approved by a 2/3rds vote of the membership of each house on final passage. Assuming the bill requires counties to spend funds by increasing their share of total detention costs, the next step is to determine whether or not one of several possible exemptions apply. The two exemptions most relevant to this bill would be the exemption for a criminal law and the exemption due to an insignificant fiscal impact.

With regard to the criminal law exemption, on November 12, 2004, the Circuit Court for the 2nd Judicial Circuit declared s. 985.2155, F.S.,³⁵ unconstitutional because it violated the mandates provision of the Florida Constitution.³⁶ This section of law required counties to participate in funding the cost of juvenile detention. The court found that the law did not meet any of the constitutional exemptions or exceptions and, therefore, required a 2/3rds vote for passage. The court found that it was not a criminal law. The bill did not pass by the necessary vote. This decision was not appealed and the Legislature has not defined this term pursuant to the authority granted by Art. VII, Section 18(e).

With regard to the fiscal impact exemption, the impact will be considered “insignificant” if it does not exceed an amount equal to an average of \$0.10 multiplied by the current state population, or approximately \$1.9 million for FY 2007. While it can reasonably be expected to have a negative fiscal impact on counties, the amount of any impact is indeterminate.

If the bill does not fall within one of the exemptions, it can nonetheless bind counties if the Legislature finds that it fulfills an important state interest and meets one of several criteria. The bill does include this finding. As for meeting other criteria, the most relevant would be that the Legislature has authorized counties to enact a funding source that can be used to generate an amount of funds sufficient to fund any required expenditures.

This bill does provide counties with an additional revenue source in the form of a mandatory court cost of up to \$50 that could generate up to \$3.5 million, depending on

³⁵ Later transferred to s. 985.686, F.S.

³⁶ *Alachua County, Florida, et. al v. Anthony Schembri*, in his capacity as Secretary of the State of Florida, Department of Juvenile Justice, et. al, (Fla. 2nd Cir. Ct.)

the assumptions utilized to fund, among other things, the creation of consequence or suspension centers, and “such other areas of local concern relating to juvenile crime.” It is unclear if this includes county detention costs such that it could be applied to offset any increase in detention costs incurred by counties as a result of this bill. If so, this could be construed as providing the necessary offsetting revenue, although the extent to which it does so depends upon the extent of any negative fiscal impact on counties as a result of this bill.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Unknown.

C. Government Sector Impact:

The bill is expected to have an indeterminate recurring fiscal impact. A provision that could or would likely generate increased detention bed utilization relates to the requirements that a child be placed in secure detention care upon intake if alleged to have absconded from home or nonsecure detention or otherwise violated the terms of post-adjudication release. Though this could have a significant bed day impact, any estimation would be highly speculative due to the number of assumptions that would comprise the estimation. Factors preventing a determinable fiscal impact of this bill may include, but are not limited to, the number of children ultimately placed in secure detention; any additional number of secure detention bed days; judicial actions; and the continuing trends of declining secure detention bed days in general.

The DJJ states the following:

“By increasing the number of youth in secure detention, as well as the length of stay individual youth will remain in secure detention, the bill will result in a fiscal impact at the state and local levels. According to the FY 2007-08 contracts for Detention Services, it is estimated that medical, mental health, food, and transportation services cost \$19.33 per youth ($\$212.64 \div 11$ days, average length of stay)^{37*}, per day in Detention.

³⁷ *Services to detained youth are estimated by the following methodology:

- Medical – Each youth receives a physical screening by an LPN for an estimated cost of \$30 at admission.
- Mental Health – Approximately one in every 3 youth needs mental health services.

The unduplicated number of youth on Home Detention status who were also awaiting placement in a residential facility during FY 2007-2008 was 2,889.^{38*}

If we consider a 4% failure rate for the 2,889 youth, (116 youth) x \$19.33 per day, the fiscal impact realized would be estimated at approximately \$2,242.28 per day. If those 116 youth were detained for a minimum of 10 days each, the fiscal impact would increase to \$22,422

The unduplicated number of youth on home detention status who were in home detention on a pre-dispositional status during FY 2007-08 was 19,522. ^{*39}

If we consider a 4% failure rate for the 19,522 youth, (780 youth) x \$19.33 per day, the fiscal impact realized would be estimated at approximately \$15,077.40 per day. If those 780 youth were detained for a minimum of 10 days each, the fiscal impact would increase to \$150,774.

It should be noted the above numbers are conservative and based on twenty-six detention centers. Closure of any detention centers will directly impact cost estimates. The total amount of the fiscal impact that will be realized is indeterminate due to the variable conditions such as length of stay as well as the amount of services an individual youth may require to ensure their medical and mental health needs are met.”

The Florida Association of Counties (FAC) has noted fiscal concerns with this legislation as the counties may be required to spend more resources housing juveniles than under current law. FAC is also concerned that the bill does not clearly specify that the fee can be used for the costs associated with the bill, or if it would offset potential costs.

Due to a possible increase in the number of cases processed, the courts may experience increased costs of an indeterminate amount at least initially but, over time, may find any increased costs offset by a reduction in the number of referrals. The State Courts System has reported it cannot accurately determine the judicial workload associated with the provisions in the bill.

The average hourly rate for an unlicensed mental health provider is \$27.00.

- Food Services – Average cost of \$10.64 for meals per youth per day.
- Transportation – Each youth is transported on average of three times while detained (Court, Medical, Dental appointments, placements, etc;) Transporting individual youth cost approximately \$28.00 per stay in detention.

³⁸ *Methodology:

Examined all records on home detention status during FY 2007-08 (total of 30,943 HD placements “duplicated”). Matched these records to placements on the residential waiting list available through the Department’s Bed Management System (total of 7,533 matches by DJJID to a waiting list placement at some point during FY 2007-08). Determined if the waiting list placement occurred in conjunction with the home detention stay (a youth could have been on the waiting list for a period of time where they were not on a home detention status), which yielded 3,506 matches. Unduplicated this total by DJJID since youth would only qualify once for the provisions outlined in the bill (final total of 2,889 records).

³⁹ *Methodology:

Matched records from step one to original total of 30,943 HD to determine if youth had a non-waiting list placement that should be included in the pre-dispositional total. Removed matches from the total and unduplicated by DJJID which yielded a total of 19,522 youth.

The bill does provide counties with a new revenue source in the form of a mandatory court cost of up to \$50 that can be used to fund, among other things, the creation of consequence or suspension centers, and “such other areas of local concern relating to juvenile crime.” (It is unclear if this includes county detention costs such that it could be applied to offset any increase in detention costs incurred by counties as a result of this bill.) This new revenue source could generate annual recurring revenues of at least \$1.8 million based on the current 49 percent collection rate for similar assessments, or \$3.5 million with a 100 percent collection rate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.